



CPA 1636/1600

PATENT

ATTORNEY DOCKET NO. 50010/007006

#23

Certificate of Mailing: Date of Deposit: January 22, 2003

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Susan M. Cannon

Printed name of person mailing correspondence

*Susan M. Cannon*

Signature of person mailing correspondence

TECH CENTER 1600/2900

JAN 30 2003

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Richard F Selden et al.	Art Unit:	1636
Serial No.:	09/328,130	Examiner:	K. Katcheves
Filed:	June 8, 1999	Customer No.:	21559
Title:	In Vivo Production and Delivery of Erythropoietin or Insulinotropin for Gene Therapy		

Commissioner for Patents  
Washington, D.C. 20231

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION (CPA)

In reply to the Notice to File Missing Parts of Application that was mailed in connection with the above-captioned application on July 22, 2002, a copy of which is enclosed, applicant, as a small entity, submits herewith the following:

Total payment of \$1,185.00 for the basic filing fee set forth under 37 C.F.R. § 1.16(a), and additional claims set forth under 37 C.F.R. § 1.16(c).

Payment of the surcharge of \$65.00 for late filing of the basic filing fee.

If there are any additional charges or any credits, please apply them to Deposit

Account No. 03-2095.

Respectfully submitted,

Date: January 23, 2003

Susan M. Michaud  
Susan M. Michaud, Ph.D.  
Reg. No. 42,885

Clark & Elbing LLP  
101 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045



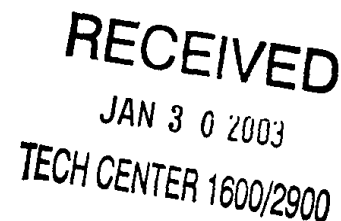
21559

PATENT TRADEMARK OFFICE

50010.007006 Reply to Notice to File Missing Parts of CPA Application.doc



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTY DOCKET NO/TITLE
--------------------	---------------------	-----------------------	----------------------



DATE MAILED:

**NOTICE TO FILE MISSING PARTS OF APPLICATION (CPA)**  
***Filing Date Granted*** \_\_\_\_\_ ,

The Continued Prosecution Application (CPA) request filed on 2/28/02 is entitled to a filing date under 37 CFR 1.53(d)(1). The CPA request, however, lacks the filing fee(s) and/or items indicated below.

**Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the fee(s), item(s), and any surcharge required below to avoid abandonment of this CPA. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).**

**The total amount owed by applicant is the sum of items 1(a) or (b), 2, and 3 (if checked) below.**

- ☒ 1. The statutory basic filing fee is:  
☒ missing.  
☐ insufficient.

(a) Applicant must submit \$\_\_\_\_\_ to complete the basic filing fee and the \$130.00 surcharge set forth in 37 CFR 1.16(e) (non-small entity), or \$\_\_\_\_\_ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e) and file a small entity statement under 37 CFR 1.27 claiming such status (if the prior application was entitled to small entity status and such status is still proper and desired, a new small entity statement is **not** required (37 CFR 1.28)).

(b) Applicant must submit \$370.00 to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e).

- ☐ 2. Additional claim fees of
- \$ \_\_\_\_\_ (non-small entity) or \$ 504.00 (small entity) for 6 independent claims over 3.
- \$ \_\_\_\_\_ (non-small entity) or \$ 558.00 (small entity) for 62 claims over 20.
- \$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for multiple dependent claim surcharge.

*Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.*

- ☐ 3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 4. The CPA request is unsigned. Applicant must file a signed duplicate or ratification of the CPA request.
- ☐ 5. Other: \_\_\_\_\_

***A copy of this Notice MUST be returned with the reply.***

Direct the reply and any questions about this Notice to:

**TRACEY D. JOHNSON**  
**PATENT ANALYST**  
Examining Group *1636*

(703) 30 -

01/11/29/2003	AMONDAF1	00000045	09328130
01 FC:2006			375.00 0P
02 FC:2051			65.00 0P
03 FC:2201			252.00 0P
04 FC:2202			558.00 0P